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C O N F I D E N T I A L TEL AVIV 002521

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SUBJECT: ISRAELI COURT RULES TO EXTRADITE ROSENSTEIN; GOI
EXPECTS APPEAL

Classified By: Political Counselor Norm Olsen; Reasons: 1.4 (B) and (D)

1. (U) The Jerusalem District Court ruled on April 19 that Ze'ev Rosenstein can be extradited to the United States to stand trial on drug trafficking charges. Rosenstein's lawyers have been contesting the extradition and want their client to be tried in Israel. Rosenstein has been in GOI custody since his arrest on November 8, 2004. The USG forwarded an extradition request to the MOI and MFA on December 20, 2004.

2. (C) Yitzak Blum, from the Israeli Ministry of Justice's international affairs office, told poloff on April 20 that Rosenstein now has 30 days to file an appeal to the Israeli Supreme Court. Blum remarked that the GOI fully expects an appeal, unless Rosenstein's lawyers in the United States arrange a plea bargain for their client with U.S. prosecutors prior to the deadline. Blum praised the Jerusalem District Court's verdict, calling it "not appeal proof, but as good as we could probably hope for." He added that an appeal could move quickly or could take several months, depending upon which panel of the Supreme Court hears the case. He noted that the panel chaired by Supreme Court President Aharon Barak already faces a significant backlog of cases stemming from the GOI's disengagement from Gaza. Note: the Israeli Supreme Court usually functions in three panels, similar to a circuit court in the United States. The full court is only convened to hear particularly sensitive or significant cases. End note.

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